

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

ORBIT ENERGY & POWER, LLC,

Debtor.

ANDREW SKLAR, CHAPTER 7 TRUSTEE,

Plaintiff,

v.

BEACON ROOFING SUPPLY, INC.,

Defendant.

Case No.: 22-19628 (ABA)

Adv. Pro No.: 24-1546 (ABA)

Chapter: 7

Date of Hearing: 10/29/2024 @ 10:00 a.m.

Judge: Andrew B. Altenburg

**NOTICE OF MOTION TO APPROVE SETTLEMENT AGREEMENT BETWEEN
ANDREW SKLAR, CHAPTER 7 TRUSTEE OF ORBIT ENERGY & POWER, LLC
AND BEACON ROOFING SUPPLY, INC.**

TO: All Parties-in-Interest

PLEASE TAKE NOTICE that on October 29, 2024 at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned counsel for Andrew Sklar, as Chapter 7 trustee (the “Trustee”) for Orbit Energy & Power, LLC (“Debtor”), shall move before the Honorable Andrew B. Altenburg, Jr., United States Bankruptcy Judge, at the United States Bankruptcy Court, Mitchell H. Cohen U.S. Courthouse, 400 Cooper Street, 4th Floor, Camden, NJ. 08101,

Courtroom 4B, for entry of an order (the “Order”) approving the settlement agreement (“Settlement Agreement”) by and between the Trustee and Beacon Roofing Supply, Inc., which is attached as Exhibit A to the Certification of Andrew Sklar in Support of the Motion (the “Sklar Certification”), and for related relief (the “Motion”).

PLEASE TAKE FURTHER NOTICE that in support of the Motion, the undersigned shall rely on the accompanying Sklar Certification and Memorandum of Law, which set forth the relevant factual and legal bases upon which the relief requested should be granted. A proposed form of Order granting the relief requested in the Motion is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall be filed with the Court and served upon the undersigned no later than seven (7) days prior to the hearing date hereupon. Unless objections are timely filed and served, the relief requested in the Motion may be granted without further notice or hearing.

PLEASE TAKE FURTHER NOTICE that the undersigned requests oral argument on the return date of the Motion if objections are timely filed.

Date: September 24, 2024

Respectfully submitted,

LEX NOVA LAW, LLC

By: /s/ E. Richard Dressel
E. Richard Dressel, Esquire
Attorneys for Andrew Sklar,
Chapter 7 Trustee, Plaintiff